

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

REUBEN HENRY,)	
)	
Plaintiff,)	
)	Civil Action No. 10-189 ERIE
V)	
)	
SUPERINTENDENT SAUER , et al.,)	
Defendants.)	

**MEMORANDUM ORDER OF COURT RE: PLAINTIFF’S MOTION FOR
APPOINTMENT OF COUNSEL AND MOTION TO STOP/SUSPEND ALL
PROCEEDINGS (DOC. NOS. 120, 121)**

On August 27, 2013, this case was transferred to this Court’s docket for all further proceedings. Doc. No. 122. The case has progressed since it was initiated in August 2010 and is now ready for trial. Doc. No. 1. Presently before this Court are two Motions filed by *pro se* Plaintiff: (1) Motion for Appointment of Counsel (Doc. No. 120) and (2) Motion to Stop/Suspend All Proceedings (Doc. No. 121).

Unlike criminal cases, there is no constitutional right to counsel in civil cases. *See Gideon v. Wainwright*, 372 U.S. 335 (1963), *Dover v. Diguglielmo*, 181 Fed. Appx. 234, 237 (3d Cir. 2006). Therefore, Plaintiff’s Motion for Appointment of Counsel (Doc. No. 120) will be denied. The Court encourages defense counsel to work with Plaintiff to prepare the case for trial, which will be scheduled by a separate Order.

In his Motion to Stop/Suspend All Proceedings (Doc. No. 121), Plaintiff moves the Court to suspend all proceedings until the Motion for Appointment of Counsel is ruled upon. Therefore, because Plaintiff’s Motion for Appointment of Counsel will be denied, Plaintiff’s Motion to Stop/Suspend All Proceedings will be denied as moot.

AND NOW, this 28th day of August, 2013, IT IS HEREBY ORDERED THAT:

- (1) Plaintiff's Motion for Appointment of Counsel (Doc. No. 120) is **DENIED**; and
- (2) Plaintiff's Motion to Stop/Suspend All Proceedings is **DENIED AS MOOT**.

s/ Arthur J. Schwab
Arthur J. Schwab
United States District Judge

cc: All Registered ECF Counsel and Parties

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